

REMARKS

Claims 1-52 are pending in the present application. Claims 12, 31, 36, 41, 42 and 43 have been amended herein. Claims 51 and 52 have been added herein.

I. FORMAL MATTERS

Applicant notes with appreciation the Examiner's indication that the drawings filed on June 20, 2001 are acceptable.

Applicant notes with appreciation the Examiner's acknowledgement of the claim to priority under 35 U.S.C. § 119(a)-(d) or (f) and indication that the priority documents have been received.

Applicant notes with appreciation the Examiner's inclusion in the Office Action a copy of the PTO Form 1449 that was submitted with the Information Disclosure Statement filed on June 20, 2001. The reference listed therein is initialed by the Examiner, thereby indicating that this reference was considered and will be included on the face of any patent that issues from the present application.

II. PRIOR ART REJECTIONS

A. Claims 1-34, 36-39 and 41-50

Claims 1-34, 36-39 and 41-50 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,360,252 (Rudy). This rejection is traversed.

It appears that the Examiner considers that one server of Rudy is equivalent to the claimed electronic mail creating/sending device and at the same time to the claimed electronic mail receiving/reproducing device as well, as explained below.

Regarding the claimed ID generating means that the claimed electronic mail creating/sending device comprises, the Examiner states: “Abstract and Fig. 1; system generates a user-understandable descriptor that is emailed to the user instead of the attachment.” According to the Rudy’s teaching, it is a server that generates a descriptor and sends the descriptor to the user instead of the attachment. Therefore, at most, the Examiner can only allege that the server should be interpreted as equivalent to the claimed electronic mail creating/sending device.

Whereas, regarding the claimed real data generating means that the claimed electronic mail receiving/reproducing device comprises, the Examiner states: “Abstract; server obtains and generates real data for the rendering

device representing the attachment corresponding to the descriptor.” It is apparent from this statement that the Examiner considers the server also to be equivalent to the claimed electronic mail receiving/reproducing device as well.

However, claim 1 requires an electronic mail creating/sending device and an electronic mail receiving/reproducing device that are separate devices, as is apparent from the wording of claim 1 that “An electronic mail transmission/reception system for communicating data between an electronic mail creating/sending device and an electronic mail receiving/reproducing device via a network.” Accordingly, Applicant submits that the Examiner’s citing of Rudy is not based on the correct interpretation of claim 1. Thus, the Examiner’s rejection of claim 1 is improper and should be withdrawn.

Regarding claim 12, Applicant submits that Rudy does not teach or suggest an ID generating means that generates an ID by referencing an ID table that represents correspondence between data and Ids, as recited by claim 12. Rather, according to Rudy’s teaching, the descriptor is generated from the name of an attached file or a small portion of data (a small portion of an image data, first few lines of the file).

Applicant submits that the Examiner’s rejection of claim 22 is also improper for the same reason presented above with respect to claim 1. That is, according to claim 22, the claimed electronic mail creating/sending device

comprising the ID generating means is separate from the server; however, the Examiner confuses the device with the server.

Regarding claims 31, 36, 41 and 43, Applicant submits that Rudy does not teach or suggest an ID generating means that generates an ID by referencing an ID table that represents correspondence between data and IDs, as recited by these claims. Rather, according to Rudy's teaching, the descriptor is generated from the name of an attached file or a small portion of data (a small portion of an image data, first few lines of the file). Applicant submits that the Examiner has improperly read the present claims so broadly that Rudy's server corresponds to both the claimed electronic mail creating/sending device and the claimed electronic mail receiving/reproducing device.

Therefore, since Rudy does not teach or suggest each and every feature of claims 1-34, 36-39 and 41-50, as presented above, the rejection of claims 1-34, 36-39 and 41-50 under 35 U.S.C. § 102(e) is improper and should be withdrawn.

B. Claims 35 and 40

Claims 35 and 40 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Rudy in view of U.S. Patent No. 6,404,762 (Luzeki). This rejection is traversed.

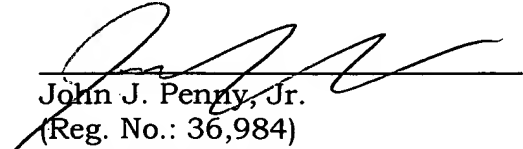
The Examiner relies on Luzeski for its alleged teaching of the claimed ID registering means and real data search means. Applicant submits that Luzeski fails to make up for the above-noted deficiencies of Rudy. Therefore, because the combination of Luzeski and Rudy does not form the invention defined by claims 35 and 40, the rejection of these claims under 35 U.S.C. § 103(a) is improper and should be withdrawn.

Applicant submits that the present application is in condition for allowance and allowance is respectfully solicited. Applicant invites the Examiner to contact the undersigned by telephone to discuss any of the above issues if the Examiner believes that such discussion would expedite the allowance of the present application.

Applicant believes that no additional fees are due for the subject application. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge Deposit Account No. 04-1105.

Respectfully Submitted,

Date: 2/22/05
Customer No.: 21874


John J. Penny, Jr.
(Reg. No.: 36,984)
EDWARDS & ANGELL, LLP
P.O. Box 55874
Boston, Ma 02205
Tel: (617) 517-5549
Fax: (617) 439-4170